

1. Claims 6-23 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to non-elected inventions, there being no allowable generic or linking claim. The election was made **without** traverse in the non-Final rejection mailed May 23, 2008.
2. Claims 1-6 amended in the response filed October 23, 2008 are directed to an invention that is distinct from the invention originally claimed. The further presence of the diluent was deemed to be a distinct invention designated as Group II and separated from claims 1-6 of Group I in the non-Final rejection on page 2, paragraph 1.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 1-6 are withdrawn from consideration as being directed to a non-elected invention (37 CFR 1.142(b) and MPEP § 821.03).

3. The claimed c)(ii) inerting agent having the feature of "eliminating the need for cleaning to remove flux residues" in claims 1, 12 and 18 is only enabled for the elimination of the need for removal of **corrosive** residues according to page 9, second paragraph, lines 2-3 [emphasis added].

4. The diluent "capable of polymerizing with the fluxing agent's polymerizable carbon-carbon double bonds" is supported by page 5, third paragraph, item (ii).

The diluent limited to an acrylate in claims 1, 12 and 18 is broader than the enabling disclosure which on page 11, second paragraph, lines 9-12 only describes certain species of di(meth)acrylates or tri(meth)acrylates, and diacrylates or triacrylates with low viscosity, although what constitutes a low viscosity is unclear.

5. The adhesive having the property of not remelting at the elevated temperature of the first melting in claims 1, 12 and 18 is substantiated by page 5, first paragraph, lines 4-5. Any future amendments to the claims should refer to appropriate portions of the specification in a more detailed manner as set forth hereinabove.

6. Although Zhou et al. in column 11, lines 16-22 discloses the heating of the adhesive at elevated temperature and cooling to harden, and heating to soften it, there is no indication that the softening temperature reaches the original heating temperature. The newly claimed lack of remelting at the temperature of first melting is satisfied since the softening temperature of Zhou et al. is not required to attain the original heating temperature.

7. Chapellow et al. Patent No. 6,610,759 in column 1, lines 25-26 is open to be "useful for a variety of applications," thereby embracing its utility as a fluxing adhesive as per Zhou et al. Since the polymerization of the adhesive is conducted by exposure to radiation (col. 19, lines 10-21), the claimed hardening by heating is not recited. However, such a property is not an affirmative limitation to the claims since the claim language is directed only to the capability of hardening and not remelting. The adhesive of Chapellow et al. is also capable of not remelting if heated to harden based on the equivalent components in the composition to that claimed. The newly claimed adhesive "suitable for attaching semiconductor die to a substrate" merely alludes to the ultimate intended utility of the composition and is not a critical limitation.

8. Capote et al. Patent No. 6,017,634 cited in the second Information Disclosure Statement filed October 23, 2008 is deemed to be particularly relevant to the claims in view of the teaching of the high and low melting metal (alloy) powders of Zhou et al. since it sets forth the claimed carbon-carbon double bond containing fluxing agent RCOOH (col. 5, lines 4-6), an epoxy resin within the claimed inerting agent (col. 11, lines 31 and 34-38) and species of polyacrylate diluents (col. 10, lines 13-37).

The amendment filed October 23, 2008 is not fully responsive to the non-Final rejection because of the limitation of claims 1-6 to include an acrylate diluent which was part of the non-elected invention of Group II (37 CFR 1.111).

Since the amendment appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

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Monday to Friday, 9:30 to 6:00

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11/1/2008